

Vehicle Wreckers & Dismantlers Manual



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IMPORTANT

THROUGHOUT THIS MANUAL, “HOTLINKS” TO OTHER WEB LOCATIONS ARE IN **RED**.

TO ACCESS THE DESIRED INFORMATION JUST “CLICK” IN THE **RED** AREA OF THE TEXT.

EXAMPLE: **WAC 308-63-010**

SECTION 1
REFERENCES

REFERENCE LIST

Automotive Recyclers of Washington
2911 East Lake Sammamish Parkway SE
Sammamish, WA 98075
(425) 557-2481
Fax (561) 828-5990

Lois Sadler, Executive Director

Coordinator of Law Enforcement Inspections for the Washington State Patrol:

Washington State Patrol
Equipment/Standards Review Section
PO Box 42605
Olympia, WA 98504-2635
(360) 421-8932

Dealer & Manufacturer Services
PO Box 9039
Olympia, WA 98507-9039
(360) 664-6455

The headquarters office is located in Olympia, with regional offices located throughout the state. We recommend that you contact the nearest office for assistance.

FIELD OFFICE ADDRESS/PHONE/COUNTY ASSIGNED

UNION GAP

2727 Rudkin Rd.
Union Gap WA 98903
(509) 575-2777
FAX (509) 454-7283

COUNTIES

Grant (Part)
Kittitas
Klickitat
Yakima

EVERETT

5313 Evergreen Way
Everett WA 98203
(425) 290-3255
FAX (360) 570-4964

COUNTIES

Snohomish

KENNEWICK

3311 W Clearwater
Suite 111
Kennewick WA 99336
(509) 734-7138
FAX (509) 734-7137

COUNTIES/CITIES

Adams
Asotin
Benton
Columbia
Franklin
Garfield
Grant (Part)
Walla Walla
City of Othello
City of Warden

OLYMPIA

SW Region
PO Box 9039
Olympia WA 98507-9039
(360) 664-6475
FAX (360) 586-0479

COUNTIES/CITIES

Clallam
Clark
Cowlitz
Grays Harbor
Jefferson
Kitsap
Lewis
Mason
Pacific
Pierce
Skamania
Thurston
Wahkiakum

SPOKANE

Eastern Region
6517 N Lidgerwood
Spokane WA 99208
(509) 482-3886
FAX (509) 482-3880

COUNTIES/CITIES

Pend Oreille
Spokane
Stevens
Whitman
City of Ritzville

MOUNT VERNON

1920 S 3rd St
Mt. Vernon WA 98273-4916
(360) 416-7021
FAX (360) 428-1339

COUNTIES

Island
San Juan
Skagit
Whatcom

SEATTLE

NW Region
320 N 85th
Seattle WA 98103
(206) 706-4255
FAX (206) 706-4267

COUNTIES

King

COULEE DAM

300 Lincoln, Suite 2
Coulee Dam WA 99116
(509) 633-7031
FAX (509) 633-0842

COUNTIES/CITIES

Chelan
Douglas
Ferry
Grant (North I-90)
Lincoln
Okanogan
City of Ephrata
City of Moses Lake
City of Soap Lake

SECTION 2

GLOSSARY OF TERMS

Acquired - Reference **WAC 308-63-010** (4)

Physical custody of a vehicle, together with proof of ownership, as provided in **WAC 308-63-080**.

Acquisition of Vehicles and Vehicle Parts - Reference **WAC 308-63-080**

Proof of ownership is required when obtaining vehicles and vehicle parts. The seller can furnish proof of ownership as follows:

- (1) Certificate of Title, including salvage certificates, properly endorsed for vehicles from states issuing a title.
- (2) Affidavit of Lost or Stolen Title, if executed by the registered and legal owner of record.
- (3) Insurance Company Bill of Sale. The Bill of Sale must be signed by someone authorized by the insurance company to sign on its behalf. The title of the person signing for the insurance company must be shown on the Bill of Sale, pursuant to **WAC 308-56A-460** (2).
- (4) Affidavit of Sale. This document is given to the successful bidder on a vehicle at a registered tow truck operator's public auction. The affidavit states that the sale was conducted properly, pursuant to Chapter **46.55 RCW**.
- (5) Affidavit of Junk Vehicle, pursuant to **RCW 46.55.230**.
- (6) A Court Order.
- (7) Bill of Sale, as explained in **WAC 308-63-020**, for the following: Vehicles from non-title jurisdictions, vehicles with titles surrendered to a state after being declared a total loss, or vehicles to which titles are not issued.
- (8) Bill of Sale for parts, as explained in **WAC 308-63-020**(2).

Additional Place of Business - Reference **WAC 308-63-070** (2)

Each additional place of business established by a wrecker must comply with all state rules and regulations. In order to use the same license, however, any additional place of business must be within the same law enforcement jurisdiction, such as a city or a county, and be registered with the department. Furthermore, each wrecking or storage yard must comply with local zoning regulations. Duplicate wreckers' licenses will be issued for posting at each additional place of business.

Application - Reference **RCW 46.80.030** and **WAC 308-63-040**

- (1) Application for a motor vehicle wrecker's license or renewal must be made on a special form for this purpose furnished by the department. On the application form it is important to identify the person, firm, partnership, association, or corporation under which business is to be conducted.
- (2) In addition, all people who have an interest in the business must be identified with their name and address. If the owner is a corporation, list the names and addresses of the officers.
- (3) An on-site inspection of the established place of business is required by the appropriate governmental authority before the license can be approved. Certifications can be made by the Chief of Police of any city or town having a population of over 5000 persons. In all other cases, certifications are made by a member of the Washington State Patrol or an authorized representative of the Department of Licensing. This also includes confirmation that the vehicle(s) is/are properly identified in accordance with **WAC 308-63-070** (6).

Each application should specify the number of vehicles owned, leased, rented, or otherwise operated for towing or transportation of vehicles or hulks. Such vehicles should be identified by make, model, year, or other adequate description and identification number.

Bill of Sale for Acquiring Vehicles - Reference **WAC 308-63-020** (1)

The following information must be included in the bill of sale:

- (1) Name and address of the seller and the purchaser.
- (2) A description of the vehicle or part being sold. Include the make, model, and identification or serial number.
- (3) The date of sale and the purchase price of the vehicle.

Bills of Sale are acceptable, in lieu of title, in the following cases:

- (1) The vehicles are from non-title jurisdictions.
- (2) An insurance company or private owner has turned in the title to a vehicle previously destroyed.
- (3) The vehicle is the type to which a title is not issued.

Bill of Sale for Parts Sold - Reference **WAC 308-63-100**

All motor vehicle parts sold by a wrecker must include a Bill of Sale. If the part being sold is identified as a major component part under **RCW 46.80.010** (3), then the Bill of Sale must also identify the part fully, giving the make, model, year, and vehicle identification number or yard number of the vehicle from which the part was taken. In addition, an invoice or a Bill of Sale listing each vehicle or hulk by yard number is required when a wrecker sells vehicles or hulks to a scrap processor or to a hulk hauler. Keep copies of all invoices for inspection purposes.

Bill of Sale for Vehicle Parts Acquired - Reference **WAC 308-63-020** (2)

A bill of sale from the seller is needed for the vehicle part(s) obtained. Each bill of sale must describe the specific part and give the seller's full name and address, provide verification of the seller's identity, and state the sale date. If the part is a major component part, as defined in **RCW 46.80.010** (3) and **WAC 308-63-070** (8), the identification number of the vehicle it came from must be on the bill of sale. A copy of each bill of sale should be kept for three years.

Bond - Reference **RCW 46.80.070** and **RCW 46.80.100**

The state requires that a surety bond of \$1,000 be held by the state of Washington and executed by a surety company authorized to do business in the state. The proper form is included in the wrecker application provided by the Department of Licensing. Any person who has suffered a loss or damage by reason of fraud, carelessness, neglect, violation of the terms of this chapter, or misrepresentation on the part of the wrecking company or its representative(s), can initiate legal action against the wrecker in order to receive payment for the damage. However, the liability of the surety cannot exceed the amount of the bond.

If the bonding company cancels the wrecker's bond, the department will notify him/her of that fact by registered mail. To stay in business, the wrecker must, before the bond is canceled, reinstate the bond due for cancellation or obtain a new bond.

Change of Address - Reference **WAC 308-63-070** (3)

When there is a business move or an addition of a new location, the Department of Licensing must be notified immediately.

Custody - Reference **WAC 308-63-010** (5)

- (1) The possession of a vehicle in which there is equitable ownership but the ownership documents required in **WAC 308-63-080** have not been received.
- (2) A vehicle placed for safekeeping by a law enforcement officer or others.

Department - Reference **WAC 308-63-010** (1)

The Department of Licensing of the state of Washington.

Destroy - Reference **WAC 308-63-010** (3)

- (1) The dismantling, disassembling, or wrecking of a vehicle with the intent of never again operating the vehicle.
- (2) The sustaining of damage to a vehicle to the extent that the cost of repairing it exceeds its fair market value immediately prior to the accident.
- (3) The cost of repairing the vehicle, plus its salvage value, exceeds or approximately equals the market value of the vehicle before it was wrecked.

Director - Reference **WAC 308-63-010** (2)

The Director of the Department of Licensing.

Display of License Certificate - Reference **WAC 308-63-070** (4)

The Certificate of License shall be in plain view, displayed openly and clearly, at each business address. During periodic inspections by law enforcement officers and authorized department representatives, the license certificate must be easily available for review.

Expiration of Motor Vehicle Wrecker's License - Reference **RCW 46.80.050** and **WAC 308-63-050**

The license for a vehicle wrecker expires twelve consecutive months from the date of issuance. License plates for vehicle wreckers will expire on the same day as the license.

Fees - Reference **RCW 46.80.040** and **RCW 46.80.050** and **RCW 46.80.060**

There is a \$25 initial application fee and a \$10 renewal fee. Failure to renew the license prior to its expiration will require the payment of the original license fee of \$25, instead of the \$10 renewal fee. The fee for special vehicle wrecker plates is \$5 for the original plates and \$2 for each additional set of plates bearing the same license number.

Identification of Licensee's Vehicles - Reference **WAC 308-63-070** (6)

All vehicles used by the auto wrecker for lifting or transporting vehicles or hulks on state highways must be so identified. Each side of the vehicle must have the following information: The licensee's name, the city where the business is located, and the current business telephone

number. Each letter and numeral should be painted or permanently affixed on both sides of the vehicle. Each letter and numeral should be at least a half-inch stroke in width and at least three inches high.

Identification of Vehicles in Yard - Reference **RCW 46.80.080** (2)(h) and **WAC 308-63-090** (3)

A clearly visible and legible yard number must mark all vehicles in the wrecking yard. This number must match the number assigned to it in the records. If the marked vehicle part is sold, the number must be placed on another location on the vehicle.

Inspection of Premises and Records - Reference **RCW 46.80.150**

Periodic inspection of motor vehicle wreckers' records and licensed premises, takes place during the wrecker's normal business hours. In cities with a population over 5000, the responsibility for inspection is the Chief of Police or the duly appointed representative. In all other cases, the Washington State Patrol has jurisdiction. In addition, an authorized representative of the Department of Licensing may make inspections at any time. After the inspections are completed, the inspecting agent will furnish a Certificate of Inspection to the department.

Major Component Parts - Reference **RCW 46.80.010** (3) and **WAC 308-63-070** (8)

- (1) Engines and short blocks
- (2) Frame
- (3) Transmission and/or transfer case
- (4) Cab
- (5) Door
- (6) Front or rear differential
- (7) Front or rear clip
- (8) Quarter panel
- (9) Truck bed or box
- (10) Bucket Seat
- (11) Hood
- (12) Bumper
- (13) Fender
- (14) Airbag

Obscure - Reference **WAC 308-63-010** (6)

To screen the wrecker activity from public view.

Place of Business Requirements - Reference **RCW 46.80.130** and **WAC 308-63-030**
and **WAC 308-63-070**

- (1) All activities of a motor vehicle wrecker must take place entirely within the established place of business. To obscure public view of the premises, a site-obscuring wall or fence at least eight feet high must be established. It should be painted or stained in natural colors to blend with the surroundings; any fence should be made of chain link with slats or other construction that will obscure the nature of the business.
- (2) A living hedge may be substituted for the wall or fence. It must be high enough and thick enough to conform to the law and prevent public view of the premises.
- (3) The enclosures and barriers established must be kept in good repair. If any portion of a living hedge is dying, it must be replaced.
- (4) Enforcement personnel will consider the lay of the land (topography) when inspecting the premises for proper enclosure.
- (5) On the premises there must be a building where the owner works at regular intervals and where the books and records are kept available for inspection during normal business hours.
- (6) All wreckers must conform to local zoning regulations.

Records To Be Kept - Reference **RCW 46.80.080** and **WAC 308-63-090**

Books and records shall contain the following:

- (1) A record of each vehicle and each vehicle part, identifying the make, model, and year. For major component parts, identify the vehicle identification numbers and “yard number” assigned.
- (2) The date the vehicle or vehicle part was purchased and from whom.
- (3) The certificate of title number, if registered in a title state, or the registration number. You may also use the description of the document used in lieu of title, such as affidavits of sale or Bills of Sale for vehicle parts.
- (4) For each vehicle or vehicle part, a record of the last state in which it was registered and the license number.
- (5) A record must be kept of the disposition of the major component parts — specifically, the name of the person purchasing the parts. If the component parts are sold to a scrap processor, then there must be an invoice or a Bill of Sale listing each vehicle by its yard number. A copy of the Bill of Sale or invoice must be kept by the wrecker for inspection for three years.

- (6) All record information should be recorded within two business days of the transaction. These records will be subject to inspection by representatives of the department and law enforcement officials during regular business hours.

Removal and Destruction of License Plates - Reference **WAC 308-63-070** (7)

All license plates must be removed from vehicles on which ownership documents have been received. This must be done within twenty-four hours after the vehicle is entered into the wrecking yard, except for those plates on vehicles in the segregated storage area. Those plates can be left on until the vehicle is entered into the wrecking yard. The plates for vehicles in the wrecking yard should be destroyed prior to submitting the monthly report.

Reports to the Department - Reference **RCW 46.80.090** and **WAC 308-63-090** (2)

By the tenth of each month, on a form provided by the department, each wrecker will identify all vehicles acquired during the previous month. Vehicles being held in the segregated storage area awaiting ownership documents, pursuant to **WAC 308-63-070** (9) are not reported. If no vehicles are received, this should be stated on the monthly form by writing "None." Properly endorsed certificates of title or other adequate evidence of ownership and registration certificates shall accompany each monthly form for vehicles acquired. The report should be made in duplicate, with the original to the department and the duplicate to the Wreckers' file.

Rebuilt Salvage Vehicle Branding – Reference **WAC 308-63-090**

Beginning June 13, 2002 vehicle wreckers are required to indicate (yes or no), in their monthly reports, whether a salvage vehicle six years old through twenty years old met the "market value threshold" immediately before it was damaged. If the vehicle met that threshold (\$6,500 for 2002) its title will be branded as "WA REBUILT" if rebuilt. If there is no threshold value reported the title will be branded. Note: The "market value threshold" is based on the federal Consumer Price Index for all Urban Consumers, compiled by the Bureau of Labor Statistics. It will be reviewed annually and adjusted upwards. That index will be posted on the Department of Licensing's Internet website 'www.wa.gov/dol' or you can call (360) 902-3673 for assistance.

Segregated Storage Area - Reference **WAC 308-63-070** (9)

Vehicles in custody and waiting approved ownership documentation, as provided under **WAC 308-63-080**, must be placed in a segregated storage area within the wrecking yard. Vehicles placed in this area cannot be dismantled nor have any parts removed. A physical barrier must be provided for this purpose. The barrier may be portable, but it must be well constructed. If the wrecker is both a dealer and a wrecker, this area may be used for storage of dealer cars or equipment; however, there can be no storage of vehicle parts.

Selling Used Vehicles - Reference **WAC 308-63-110**

All vehicles acquired for sale under a Vehicle Dealer's License that are inoperable at the time of acquisition must be kept in the wrecking yard and separated from the operation by a continuous physical barrier. All vehicle dealers must comply with **RCW 46.70.101** (1)(b)(viii), which requires that dealer vehicles meet state and federal standards for construction and safety.

"Inoperable," as used in this section, means a vehicle that does not comply with requirements for use on public streets, with regard to brakes, tires, safety glass, and other safety equipment. A vehicle is not defined as "inoperable" just because it does not have a current registration.

Special Plates - Reference **RCW 46.80.060** and **WAC 308-63-060**

All wreckers who tow or transport vehicles or hulks on Washington state highways are required to have regular license plates and special wrecker plates on their vehicles. Wreckers' plates can be obtained for a fee of \$6, which includes \$1 for reflectorization under **RCW 46.16.237** for the first set and \$3, including reflectorization, for each additional set. Plates may be purchased for as many vehicles as reported on the application for licensure. If the wrecker purchases additional vehicles, he must inform the department and at the department's discretion, obtain additional plates for the vehicles.

Each vehicle must display both wrecker plates assigned to it. If the vehicle being towed does not have valid license plates, the wrecker can split the plates, with one being displayed on the front of the towing vehicle and the other on the rear of the vehicle being towed.

Suspension or Revocation of License - Reference **RCW 46.80.110**

A wrecker's license may be denied, suspended, or revoked, or a civil fine of up to \$500 per violation may be assessed for the following reasons:

- (1) Committing any dishonest act or omission in the sale of a motor vehicle, trailer or motor vehicle part which has forced a consumer to suffer a loss or serious inconvenience.
- (2) Failure to obtain a title or other documentation before a vehicle or a major component part is acquired.
- (3) Willfully misrepresenting the physical condition of any motor or integral part of the motor vehicle.
- (4) Selling motor vehicles, trailers, or vehicle parts which are stolen or sold without the consent of the owner.
- (5) Handling a motor vehicle, trailer, or a vehicle part which has a missing or defaced manufacturer's identification number, unless approved by a law enforcement officer.

- (6) Committing forgery or misstating a material fact on any title, registration, or other documentation for a vehicle that has been reassembled from parts obtained from the disassembling of other vehicles.
- (7) Failing to comply with any of the provisions of the wrecker law or with the rules and regulations adopted by the department, relating to the registration and certification of titles of vehicles.
- (8) Obtaining a license through fraudulent or dishonest means.
- (9) A conviction, during the past ten years, of a crime which directly relates to the business of vehicle wrecker or the suffering of any judgment within the last five years in any civil action involving fraud, misrepresentation, or conversion.

“Conviction” means any of the following:

- o A final conviction in either a federal, state, or municipal court.
- o An unvacated forfeiture of bail or collateral deposited to secure a defendant’s appearance in court.
- o Payment of a fine, a plea of guilty, or a finding of guilty, regardless of whether the sentence is deferred or the penalty suspended.

Variance - Reference **WAC 308-63-070** (1)(e)

A variance (exception) to the sight-obscuring wall or fencing requirement of a wrecking yard must be granted in writing on a form provided by the department. (See the section on “Forms.”)

SECTION 3
FORMS

Here are the links to the Washington State Wrecker/Dismantler Forms. To access them, just “click” on the desired form number, in **RED** below.

The following Department of Licensing forms may be reproduced either by photocopier or by a print shop. When reproducing the forms, please photocopy them exactly as they were printed. It is misleading to the public to alter the Department forms.

FORM NUMBER	FORM NAME
DLR-430-207	Motor Vehicle Wrecker Bond
DLR-430-215	Application for Change of Name or Address
DLR-430-225	Wrecker Additional Location
DLR-430-538	Fence Variance Application
TD-420-538	Wrecker Monthly Report

SECTION 4

WASHINGTON LAWS AND RULES

Here are the links to the Washington State Wrecker/Dismantler Laws and Rules. To access them, just “click” on the desired Law (RCW) or Rule (WAC), in **RED** below.

RCW	WAC
46.12.005	308-56A-460
46.16.237	308-63-010
46.55	308-63-020
46.55.230	308-63-030
46.70.101	308-63-040
46.80.010	308-63-050
46.80.030	308-63-060
46.80.040	308-63-070
46.80.050	308-63-080
46.80.060	308-63-090
46.80.070	308-63-100
46.80.080	308-63-110
46.80.090	
46.80.100	
46.80.110	
46.80.130	
46.80.150	